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JM-009 CIP2

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS AND APPARATUS FOR A CURVED STENT**

the specification of which

(check one)  is attached hereto

was filed on July 26, 2001 as  
Application Serial No. 09/916,394 and  
was amended on \_\_\_\_\_.  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			Priority <u>Claimed</u>
<u>DE 198 40 645.2</u> (Number)	<u>Germany</u> (Country)	<u>5 September 1998</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> [ ] Yes No
<u>PCT/EP99/06456</u> (Number)	<u>PCT</u> (Country)	<u>2 September 1999</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> [ ] Yes No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or under § 120 and § 365(c) of the same Title to the international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/582,318</u> (Application Serial No.)	<u>June 23, 2000</u> (Filing Date)	<u>pending</u> (Status) (patented, pending, abandoned)
<u>09/742,144</u> (Application Serial No.)	<u>December 19, 2000</u> (Filing Date)	<u>pending</u> (Status) (patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Nicola A. Pisano, (Reg. No. 34,408)  
Michael J. DeHaemer, Jr., (Reg. No. 39,164)  
Douglas A. Oguss (Reg. No. 48,469)

Send correspondence to:

Nicola A. Pisano  
FISH & NEAVE  
1251 Avenue of the Americas  
New York, New York 10020-1104

Direct telephone calls to:

Nicola A. Pisano  
(650) 617-4018

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor Marc Gianotti

First Inventor's signature M. Gianotti 13. 8. 01  
Date

Residence Schauenbergstrasse 13, CH-8542 Wiesendangen, Switzerland

Citizenship Switzerland

Post Office Address Schauenbergstrasse 13, CH-8542 Wiesendangen, Switzerland

Full name of Second Inventor Kenneth J. Michlitsch

Second Inventor's signature K. Michlitsch 7.8.01  
Date

Residence Neustadt 70, CH-8200 Schaffhausen, Switzerland

Citizenship United States of America

Post Office Address Neustadt 70, CH-8200 Schaffhausen, Switzerland

Full name of Third Inventor Suk-Woo Ha

Third Inventor's signature Suk-Woo Ha 7.8.01  
Date

Residence Tuetewege 8, CH-8460 Marthalen, Switzerland

Citizenship United States of America

Post Office Address Tuetewege 8, CH-8460 Marthalen, Switzerland

Full name of Fourth Inventor Randolf von Oepen

Fourth Inventor's signature R. von Oepen 21/08/01  
Date

Residence Gartenstrasse 42, D-72074 Tuebingen, Germany

Citizenship Germany

Post Office Address Gartenstrasse 42, D-72074 Tuebingen, Germany

Full name of Fifth Inventor Gerd Seibold

Fifth Inventor's signature G. Seibold 22/08/01  
Date

Residence Achalmstrasse 9, D-72118 Ammerbuch, Germany

Citizenship Germany

Post Office Address Achalmstrasse 9, D-72118 Ammerbuch, Germany